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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,561	09/22/2003	Mikiko Hirata	Q77600	5533

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EXAMINER

KING, JUSTIN

ART UNIT PAPER NUMBER

2111

DATE MAILED: 01/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/666,561

Applicant(s)

HIRATA ET AL.

Examiner

Justin I. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. The amended preamble of claims 1, 3, and 9-12 recites “A status notification apparatus for notifying the status of a second information processing apparatus in a first information processing apparatus...”. Clarification is needed on whether the status notification apparatus is included in the first information processing apparatus or the second information processing apparatus is included in the first information processing apparatus.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 11-12 and 17-18 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 11-12 and 17-18 claim a computer signal embodied in a carrier wave, which is non-statutory subject matter.

Claim Rejections - 35 USC § 112

4. Claims 13-16 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Specification, as originally presented, does not disclose that the notification

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device is separately provided as an indicator in the status notification apparatus, and a ready state can be known from the notification device irrespective of the on/off state of the display unit.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Iwamura (U.S. Patent No. 5,883,621).

Referring to claims 1 and 9: Iwamura discloses a bus system to support video image (figure 1), and Iwamura discloses the bus device initialization (figure 3). Iwamura discloses an inquiry device for making an inquiry about whether the other information processing apparatuses have the function of transmitting/receiving the information, and a notification device for starting the notification upon confirmation by the inquiry by the inquiry device that the other information processing apparatuses have the function (column 5, lines 44-52). Iwamura's digital satellite system integrated receiver decoder (DSS IRD) is equivalent to the claimed first device, and the attached nodes are equivalent to the second device. Thus, claim is anticipated by Iwamura.

Referring to claims 2 and 4: Iwamura discloses a display device connected with a DVD player or a digital VCR via a receiver decoder (figure 1). The display will response only upon receiver decoder's request when the DVD player or digital VCR transmits the data to receiver decoder.

Referring to claims 3 and 10: Iwamura discloses a bus system to support video image (figure 1), and Iwamura discloses the bus device initialization (figure 3). Iwamura discloses a confirmation device for confirming whether the connection of a transmission path of the information is established between the other information processing apparatuses and the one information processing apparatus; and a notification device for starting the notification upon confirmation by the confirmation device that the connection is established (column 5, lines 44-52). Thus, claim is anticipated by Iwamura.

Referring to claims 5-6: Iwamura discloses a display device (figure 6) and Iwamura's initialization switches the devices to the on state.

Referring to claims 7-8: Iwamura discloses IEEE 1394 (abstract).

Response to Amendment

7. The amended claims use both double bracket and strike-through for deleting unwanted portion. Applicant is recommended to use only one form of deletion.

Response to Arguments

8. In response to Applicant's argument that the carrier wave is statutory subject matter as provided in the 1996 Guidelines (Remark, page 7, last paragraph): A computer data signal embodied in a transmission medium is not considered to fall within the statutory categories; see Annex IV, pages 55-57 of the Interim Guidelines, which supercedes 1996 Guidelines.

9. In response to Applicant's argument that the prior art on record does not have a display unit displaying information (Remark, page 8, last paragraph) and Applicant's further argument

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that Iwamura's display cannot display transmitted/received information (Remark, page 9, lines 3-4 and 7): The amended display unit is a part of the preamble and does not give any breath into the claimed limitation in each amended independent claim; thus, it is not considered as a part of limitation during examination.

10. In response to Applicant's argument that Iwamura does not disclose or teach a notification device equipped in the first information processing apparatus and starting the notification upon confirmation by the inquiry device (Remark, page 9, lines 4-6): Iwamura's digital satellite system integrated receiver decoder (DSS IRD) is the claimed first device.

Iwamura's DSS IRD sends commands to all attached nodes and confirm each node's type. The means to generating the commands for the Iwamura's DSS IRD is the notification device.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,990,927 to Hendricks et al.: Hendricks discloses that it is known to equip LED on cable box for displaying status.

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

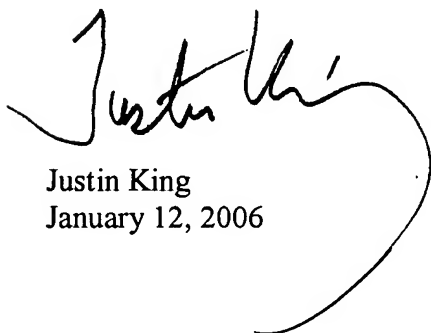
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin I. King whose telephone number is 571-272-3628. The examiner can normally be reached on Monday through Friday, 9:00 am to 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached on 571-272-3676 or on the central telephone number, (571) 272-2100. The fax

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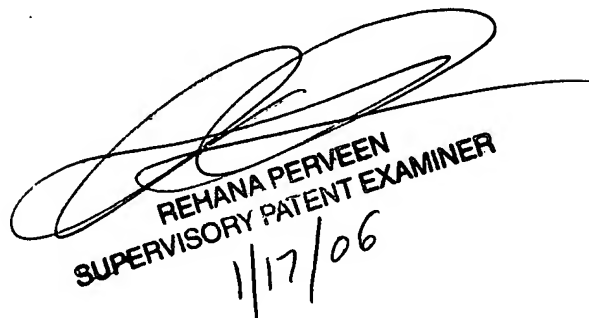
phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lastly, paper copies of cited U.S. patents and U.S. patent application publications will cease to be mailed to applicants with Office actions as of June 2004. Paper copies of foreign patents and non-patent literature will continue to be included with office actions. These cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site (www.uspto.gov), from the Office of Public Records and from commercial sources. Applicants are referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197 for information on this policy. Requests to restart a period for response due to a missing U.S. patent or patent application publications will not be granted.



Justin King
January 12, 2006



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SUPERVISORY PATENT EXAMINER
1/17/06